

By: Simmons

H.B. No. 1023

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the commissioner of education
3 regarding granting additional charters for open-enrollment charter
4 schools.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter D, Chapter 12, Education Code, is
7 amended by adding Section 12.1015 to read as follows:

8 Sec. 12.1015. ADDITIONAL CHARTER FOR OPEN-ENROLLMENT
9 CHARTER SCHOOLS ALLOWED. (a) Notwithstanding Section 12.101(b-3),
10 the commissioner may grant more than one charter for an
11 open-enrollment charter school to a charter holder if the
12 additional charter is for an open-enrollment charter school that
13 has a distinct purpose or student population.

14 (b) The commissioner by rule shall identify various types of
15 open-enrollment charter schools to be used to determine if an
16 open-enrollment charter school has a distinct purpose or will serve
17 a different student population for purposes of this section. The
18 commissioner may award a charter under Subsection (a) if the
19 commissioner determines the charter will serve a distinct purpose
20 or student population regardless of whether the type of school for
21 which the charter is sought has been identified by the
22 commissioner.

23 (c) The rules adopted under Subsection (b) must account for
24 the following types of open-enrollment charter schools:

1 (1) an open-enrollment charter school that serves a
2 general student population through a distinctly different
3 educational model;

4 (2) an alternative education open-enrollment charter
5 school that serves students who:

6 (A) have dropped out of school; or

7 (B) are students at risk of dropping out of
8 school, as defined by Section 29.081;

9 (3) an open-enrollment charter school operating under
10 a charter granted under Section 12.1014;

11 (4) a virtual open-enrollment charter school; and

12 (5) any other open-enrollment charter school that
13 serves a distinct student population, as determined by commissioner
14 rule.

15 SECTION 2. This Act applies beginning with the 2017-2018
16 school year.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2017.